

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	13-00279-01-CR-W-DW
MARK L. FLAAEN,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

On July 10, 2015, I ordered Defendant to undergo a competency evaluation (Doc. No. 77). Defendant was examined by Jeremiah Dwyer, Ph.D., who prepared a report dated September 21, 2015 (Doc. No. 99).

A competency hearing was held on October 8, 2015. The government was represented by Assistant United States Attorney Rudolph Rhodes. Defendant in person with appointed attorney John Osgood. The parties stipulated to the contents and findings of Dr. Dwyer's report (Tr. at 2-3). No additional evidence was presented.

Based upon the uncontroverted evidence, I find that Defendant is competent to proceed. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding Defendant competent.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
October 22, 2015